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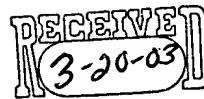
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**DOCKET NO. RO4364US (NORT10-00005)**  
**Customer No. 33000**



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**PATENT****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of : Andrew John Homan, et al.  
 Serial No. : 09/220,016  
 Filed : December 23, 1998  
 For : INTELLIGENT WIRELESS TERMINAL WITH VIRTUAL MEMORY  
 Group No. : 2682  
 Examiner : Charles N. Appiah

**BOX AF**

Commissioner for Patents  
 Washington, D. C. 20231

01 FC:1006 750.00 CR  
 10/31/2003 RDAVENPD 00000001 192550 09220016  
 Adjustment date: 11/20/2003 LBADIE

Sir:

**PETITION TO WITHDRAW OFFICE ACTION**

The Applicant respectfully petitions the Commissioner to withdraw the final Office Action mailed on February 26, 2003 and issue a Notice of Missing Parts.

The Applicant respectfully notes that a Continued Prosecution Application ("CPA") was filed on February 3, 2003 without the filing fee. The CPA contained no authorization to charge the filing fee to a deposit account, and no papers previously filed in this Application contained an authorization to charge future fees to a deposit account. As a result, the filing fee has not been paid, and the Applicants failed to receive a Notice of Missing Parts requesting payment of the filing fee.

The Applicant further notes that a prior law firm, Smart & Biggar, previously charged fees to Deposit Account 19-2550. The Applicant does not know if the PTO charged the filing fee for the

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ATTORNEY DOCKET NO. RO4364 (NORT10-00005)  
U.S. SERIAL NO. 09/220,016  
PATENT

CPA to Deposit Account 19-2550. However, a new Power of Attorney issued by assignee was filed on June 25, 2002 that effectively revoked all previous powers of attorney to prosecute this application (MPEP § 402.07). As a result, if the filing fee for the CPA was charged to Deposit Account 19-2550, the Applicant respectfully requests that the filing fee be refunded to Deposit Account 19-2550.

For these reasons, the Applicant respectfully requests that the final Office Action mailed on February 3, 2003 should be withdrawn and a Notice of Missing Parts should be issued.

Applicant does not believe that a petition fee is due, however, if required, the Commissioner is hereby authorized to charge proper fees connected with this communication or credit any overpayment to Davis Munck Deposit Account No. 50-0208.

Respectfully submitted,

DAVIS MUNCK, P.C.

Date: 3/20/2003

  
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Commissioner for Patents  
Washington, D.C. 20231

CERTIFICATE OF TRANSMISSION BY FACSIMILE

Sir:

The undersigned hereby certifies that the following documents:

1. Petition to Withdraw Office Action

relating to the above application was faxed to 703-872-9315 on March 20, 2003.

Date: 3/20/03

Ruthy Langeneker  
Faxer

Date: 3/20/2003

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NO. 482

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## Facsimile Cover Sheet

To: Examiner C.N. Appiah  
Group No. 2682

From: Robert D. McCutcheon, Esq.

Date: March 20, 2003

Fax: 703-872-9315

Time: 3:12 PM

Client/Matter: NORT10-00005

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THIS FAX CONSISTS OF 4 PAGE(S) (INCLUDING THIS COVER SHEET).  
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